

**REMARKS**

Claims 1-26 are pending in the application. By this Amendment Applicant has amended claims 1, 11, 18 and 24 in the manner discussed below.

**Claim Rejections Under 35 U.S.C. §103**

The Examiner has rejected claims 1, 2, 5, 8-12, 14-19 and 21-26 under 35 U.S.C. §103 as being unpatentable over Orman et al. in view of Rostowfske et al.

In the above Office Action the Examiner admits that Orman does not explicitly teach, among other things, withholding acknowledgment of receipt of the data at the proxy element until a predefined operation involving the data has been performed. However, the Examiner asserts that Rostowfske teaches withholding acknowledgment of receipt of the data at the proxy element (Col 7 lines 26-35) until a predefined operation involving the data has been performed. In particular, the Examiner asserts that the “predefined operation” corresponds to Rostowfske’s determination of the satisfactory receipt of the data frame.

For the reasons set forth in the amendment filed November 1, 2007, Applicant respectfully disagrees that data can be manipulated in a predefined operation as presently claimed before it is received and that Rostowfske teaches affirmatively withholding an acknowledgment of receipt of the data. However, in order to advance prosecution of the application the pending independent claims have been amended in order to further highlight a distinction between Rostowfske and embodiments of the invention; namely, that the “predefined operation” comprises something other than determining the data has been satisfactorily received. Applicant respectfully submits that neither Orman, Rostowfske or any other of the cited references suggest withholding of an acknowledgment of receipt of data until such a predefined operation has been performed (i.e., an operation other than determining the data has been satisfactorily received).

Accordingly, Applicant respectfully requests reconsideration of the outstanding rejection of claims 1, 2, 5, 8-12, 14-19 and 21-26 under 35 U.S.C. §103 as being unpatentable over Orman et al. in view of Rostowfske et al.

The Examiner has also rejected claims 3, 4, 6, 7, 13 and 20 under 35 U.S.C. §103 as being unpatentable over Orman et al. in view of Rostowske et al and further in view of Serex et al. For the reasons set forth above, Applicant also requests reconsideration of claims 3, 4, 6, 7, 13 and 20.

**Conclusion**

Applicant respectfully requests consideration of the remarks herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

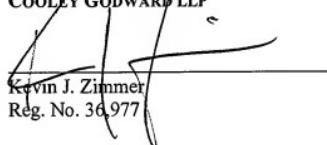
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: May 5, 2008

Cooley Godward Kronish LLP  
777 6th Street, NW  
Suite 1100  
Washington, DC 20001  
Phone: (858) 550-6000  
Fax: (202) 842-7899

By:

Respectfully submitted,  
**COOLEY GODWARD LLP**

  
Kevin J. Zimmer  
Reg. No. 36,977